Docket No.: 053673-0021

# **PATENT**

#### TENT AND TRADEMARK OFFICE IN THE UNIT

In re Application of

Customer Number: 20277

Yasushi NAKANISHI, et al.

Confirmation Number: 1428

Application No.: 10/540,270

Group Art Unit: 1756

Filed: June 23, 2005

Examiner: Not yet assigned

For: POLYESTER RESIN FOR TONER, TONER FOR DEVELOPING ELECTROSTATIC

CHARGE IMAGE AND METHOD FOR FORMING IMAGE

# REQUEST FOR CORRECTED FILING RECEIPT

Mail Stop COFR Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Attached is a copy of the Filing Receipt received from the U.S. Patent and Trademark Office in the above-referenced application. It is noted that the number of independent claims is incorrect. Attached is a copy of the claims listed in the specification, which evidences that the number of independent claims should be one (1). It is requested that a corrected filing receipt be issued.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Stephen A. Becker Registration No. 26,527

Please recognize our Customer No. 20277 as our correspondence address.

600 13<sup>th</sup> Street, N.W. Washington, DC 20005-3096 Phone: 202.756.8000 SAB:ark

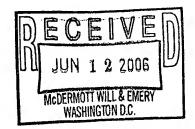
Facsimile: 202.756.8087 **Date: August 23, 2006** 



UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Dox 1450 Alexandra, Virginia 22313-1450 www.unpto.gov

**FILING OR 371** ART UNIT FIL FEE REC'D DRAWINGS TOT CLMS ATTY.DOCKET NO IND CLMS APPL NO. (c) DATE 10/540.270 06/23/2005 1756 1260 053673-0021

20277 MCDERMOTT WILL & EMERY LLP 600 13TH STREET, N.W. WASHINGTON, DC 20005-3096



**CONFIRMATION NO. 1428** CORRECTED FILING RECEIPT \*OC000000019163488\*

Date Mailed: 06/08/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

#### Applicant(s)

Yasushi Nakanishi, Tokyo, JAPAN; Hirofumi Iemura, Tokyo, JAPAN; Akira Yamane, Tokyo, JAPAN; Yoshinori Onose, Tokyo, JAPAN;

Power of Attorney: The patent practitioners associated with Customer Number 20277.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP03/16064 12/16/2003

### Foreign Applications

JAPAN 2002-374941 12/25/2002

If Required, Foreign Filing License Granted: 02/10/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/540,270** 

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

Polyester resin for toner, toner for developing electrostatic charge image and method for forming image

**Preliminary Class** 

430

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



What is claimed is:

1. A polyester resin for toner, wherein an acid component of the polyester comprises (1) disproportionated rosin and (2) terephthalic acid and/or isophthalic acid, an alcohol component of the polyester comprises (3) glycidyl ester of tertiary fatty acid and (4) an aliphatic diol containing from 2 to 10 carbon atoms, and a cross-linking component of the polyester comprises a polycarboxylic acid having three or more carboxyl groups and/or a polyol having three or more hydroxyl groups, with the molar ratio of the acid component (1) to the acid component (2), (1)/(2), being from 0.2 to 0.6 and the molar ratio of the alcohol component (3) to the alcohol component (4), (3)/(4), being from 0.05 to 0.4.

- The polyester resin for a toner according to claim 1, which further contains rosin glycidyl ester as an alcohol component.
- 3. The polyester resin for a toner according to claim 1, which has a true density of from 1.1 to 1.3  $g/cm^3$ .
- 4. The polyester resin for a toner according to claim 2, which has a true density of from 1.1 to 1.3  $g/cm^3$ .
- 5. A toner for developing an electrostatic charge image according to any one of claims 1 to 4, which comprises the above-mentioned polyester resins for a toner, a colorant and a charge control agent.



DCP'

- 6. The toner for developing an electrostatic charge image as described in claim 5, wherein the charge control agent is a metal salt of aromatic hydroxycarboxylic acid and the toner has a negatively charging property.
  - 7. An image-forming method by heat-fixing a toner for developing an electrostatic charge image in a fixing device comprising a heating roller having a heater therein and a pressure-applying roller to be press-contacted against the heating roller, wherein the toner for developing an electrostatic charge image is the toner described in claim 5, the temperature of the heating roller is from 160°C to 230°C, and the width, W (mm), of the portion where the heating roller and the pressure-applying roller are pressure-contacted with each other, and the fixing speed, S (mm/sec), are in the relation of W/S≥0.015.
  - 8. An image-forming method by heat-fixing a toner for developing an electrostatic charge image using a fixing device pressed against a pressure-applying roller via a fixing belt, wherein the toner for developing an electrostatic charge image is the toner described in claim 5, the temperature of the fixing belt in the pressure-contacted portion is from 160°C to 230°C, and the heating width, H (mm), of the portion where the fixing belt and the pressure-applying roller are pressure-contacted with each other, and the fixing speed, S (mm/sec), are in the relation



of H/S≥0.015.